

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ERIKA EBERHARDINGER,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-2481</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>CITY OF YORK, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 21st day of February, 2018, upon consideration of the motion (Doc. 40) for severance and separate trials pursuant to Federal Rule of Civil Procedure 42(b) filed by defendant State Farm Mutual Automobile Insurance Company (“State Farm”), wherein State Farm seeks to sever the claims brought against it from the claims asserted against defendants City of York, York City Police Officer Benjamin Smith (“Officer Smith”), and Matthew Foster for purposes of trial, (see Doc. 40 ¶ 27; see also Doc. 41 at 7-8), and it appearing that both State Farm and the City of York and Officer Smith have recently filed full and potentially case-dispositive summary judgment motions (see Docs. 58, 60), it is hereby ORDERED that State Farm’s motion (Doc. 40) for severance and separate trials is DISMISSED without prejudice to State Farm refiling same if appropriate following the court’s disposition of the pending motions (Docs. 58, 60) for summary judgment.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania